

November 9, 2018

[Electronically Submitted]

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, District of Columbia 20554

Re: Notice of Ex Parte Communication, *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, WT Docket No. 17-79; *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, WC Docket No. 17-84; *Promoting Telehealth in Rural America*, WC Docket No. 17-310

Dear Ms. Dortch,

On November 7, 2018, ACT | The App Association (App Association) Senior Global Policy Counsel Brian Scarpelli, Policy Counsel Joel Thayer, and Legal Fellow Diana Moreno, along with Mend Co-Founder and President Brandon Worley, met with Federal Communications Commission (FCC) Commissioner Brendan Carr and his chief of staff Jamie Susskind on the above-referenced dockets.

At the start of the meeting, the App Association described the characteristics of its membership and the impact its businesses have as part of a thriving app economy. The App Association represents more than 5,000 app makers and connected device companies across the mobile economy that leverage the connectivity of smart devices to create innovative solutions that make our lives better. Our members provide the touchpoint to the mobile revolution, which continues to create new efficiencies across sectors, from finance to healthcare to manufacturing. As detailed in our annual State of the App Economy report,<sup>1</sup> the \$950.6 billion app ecosystem is led by U.S. companies that employ more than 4.7 million Americans. More than 80 percent of the top U.S. app companies are located outside of Silicon Valley, and many are headquartered in rural areas, but all depend on strong broadband to grow and create new jobs.

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<sup>1</sup> ACT | The App Association, State of the App Economy, Fifth Edition (Apr. 2018), available at [http://actonline.org/wp-content/uploads/ACT\\_2018-State-of-the-App-Economy-Report\\_4.pdf](http://actonline.org/wp-content/uploads/ACT_2018-State-of-the-App-Economy-Report_4.pdf).

Mend also described to the Commission its business and the innovative solutions it provides to the healthcare ecosystem. Mend is a digital healthcare platform that offers a customized digital intermediary including telemedicine, appointment reminders, patient scheduling, and digital patient intake forms to take existing workflows and processes to the internet.<sup>2</sup> Mend noted that its platform relies on robust broadband connectivity utilizing both wireline and wireless cellular networks to provide its innovative services.

The App Association and Mend shared their support for the Commission's recent steps to remove regulatory barriers to realizing next-generation wireless broadband and 5G deployment. App Association members depend on strong connectivity to deliver their innovations to countless consumer and enterprise users across America. The rise of internet of things (IoT) innovations will only increase the need for robust wireless connectivity and faster broadband speeds.

Finally, the App Association and Mend discussed efforts to advance the uptake of digital health innovations through the Connected Health Initiative (CHI),<sup>3</sup> and CHI's support for the Commission's efforts to secure and augment broadband connectivity for healthcare.<sup>4</sup> The wide array of connected health technology products and services—such as telehealth, remote monitoring of patient-generated health data, and telemonitoring—available today and in development provide the ability to save countless American lives while lowering healthcare costs. Further, the App Association discussed recent and significant developments in the Centers for Medicare and Medicaid Services' (CMS') approach to reimbursement to caregivers for the use of innovative digital health services in treating Medicare beneficiaries across America.<sup>5</sup> CMS' inclusion of these broadband-enabled innovations to the CY2019 Physician Fee Schedule was due in large part to CHI's tireless advocacy at CMS, and we believe that the Commission will also play a critical role in ensuring there is ample access to broadband so that the digital-health space, and the small-business innovators servicing this economic vertical, continues its exponential growth. This development can augment the Commission's efforts through providing incentives for the use of remote monitoring technologies in the delivery of care. As a result, the Commission's efforts to speed broadband deployment, particularly to support greater

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<sup>2</sup> <https://www.mendfamily.com/>.

<sup>3</sup> [www.connectedhi.com](http://www.connectedhi.com)

<sup>4</sup> E.g., Promoting Telehealth in Rural America, WC Docket No. 17-310, Notice of Proposed Rulemaking and Order (2017).

<sup>5</sup> See Centers for Medicare and Medicaid Services, *Medicare Program: Revisions to Payment Policies under the Physician Fee Schedule and Other Revisions to Part B for CY 2019; Medicare Shared Savings Program Requirements; Quality Payment Program; Medicaid Promoting Interoperability Program; etc.*, available at <https://www.federalregister.gov/documents/2018/11/23/2018-24170/medicare-program-revisions-to-payment-policies-under-the-physician-fee-schedule-and-other-revisions>.

use of remote care products and services, are more essential today than ever, and improvements must be made to America's critical infrastructure to enable these connected health innovations.

Mend and the App Association expressed their support for the Commission's Connected Care Pilot<sup>6</sup> because it is a necessary step forward to ensure that Americans can connect with their doctors irrespective of distance to a healthcare facility. Mend explained that this pilot, if executed well, could serve as an archetype for other government disbursement programs. Additionally, the App Association and Mend expressed their interest in assisting the Commission to develop its pilot throughout the regulatory process and offered their insights and experiences so as to better inform the pilot's objectives.

Pursuant to the Commission's rules,<sup>7</sup> this *ex parte* notice (with meeting materials appended) is being electronically filed via the Commission's Electronic Comment Filing System. A copy of this submission is being provided electronically to the meeting attendees.

Sincerely,



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Senior Global Policy Counsel

Joel Thayer  
Policy Counsel

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<sup>6</sup> *In the Matter of Promoting Telehealth for Low-Income Consumers*, WC Docket No. 18-213, Notice of Inquiry (2018). Available at <https://docs.fcc.gov/public/attachments/FCC-18-112A1.pdf>.

<sup>7</sup> 47 C.F.R. § 1.1206.